

1 EMERGENCY MOT
2 Phillip Charles Aught JR.
3 12333 Silvana Street
4 Las Vegas, Nevada 89141
5 (702) 210-6081
6 Phillipaught15@gmail.com
7 PLAINTIFF IN PROPER PERSON
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FILED

FEB 26 2025

CLERK, U.S. DISTRICT COURT
TEXAS EASTERN

11 UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS, PLANO
12 DIVISION
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16 PHILLIP CHARLES AUGHT JR.
17 Plaintiff in Proper Person
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PLAINTIFF DEMANDS JURY
TRIAL

20 Plaintiff,
21

22 -vs-
23
24

CASE NO. 4:24-cv-00682-SDJ-AGD

25 Defendant: Calfund, LLC, ET.AL
26 1633 Westwood Blvd
27 Los Angeles, CA 90024
28 Phone: (213) 747-4949
Email: Brent@calfundllc.com

Defendants.

PLAINTIFF'S EMERGENCY MOTION FOR STATUS UPDATE AND EXPEDITED
RULING

TO THE HONORABLE COURT:

Plaintiff, Phillip Charles Aught, Jr., acting pro se, respectfully submits this Emergency Motion for a Status Update and Expedited Ruling on Defendant CALFUND, LLC's Motion to Compel Arbitration and Change Venue (Dkt. #14), and states as follows:

I. INTRODUCTION

Plaintiff seeks an immediate status update and an expedited ruling on Defendant's pending Motion to Compel Arbitration and Change Venue, which has been fully briefed as of January 6, 2025 (Dkt. #18). The delay in resolution is causing significant prejudice to Plaintiff's ability to proceed with litigation.

II. RELEVANT PROCEDURAL HISTORY

1. Defendant filed its Motion to Compel Arbitration and Change Venue on December 27, 2024 (Dkt. #14).
2. Plaintiff filed an Opposition on January 2, 2025 (Dkt. #16).
3. Plaintiff filed a Motion for Hearing on January 2, 2025 (Dkt. #17).
4. Defendant filed a Reply on January 6, 2025 (Dkt. #18).
5. To date, no ruling or hearing has been scheduled on the motion.

III. BASIS FOR EMERGENCY RELIEF

Plaintiff respectfully requests an expedited ruling within one week because:

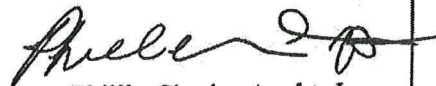
1. Undue Delay Prejudices Plaintiff: The pending motion prevents Plaintiff from moving forward with litigation, including discovery and trial preparation.
2. Potential for Harm: The uncertainty of whether arbitration will be compelled affects Plaintiff's legal strategy and access to remedies.
3. The Motion is Fully Briefed: As of January 6, 2025, all responses and replies have been submitted, and there is no reason for further delay.
4. Plaintiff's Request for a Hearing Remains Pending: Plaintiff requested a hearing (Dkt. #17), and no ruling has been made on that request.

IV. REQUEST FOR RELIEF

For the foregoing reasons, Plaintiff respectfully requests that this Court:

1. Provide a status update on Defendant's Motion to Compel Arbitration and Change Venue (Dkt. #14).
2. Issue an expedited ruling within one week (requesting March 4, 2025) to prevent further prejudice to Plaintiff.
3. If necessary, schedule a hearing at the earliest available date to address the motion.

Respectfully submitted,



Phillip Charles Aught, Jr.
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Pro Se Plaintiff
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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing Emergency Motion has been served on Defendant's counsel via the Court's **electronic filing system** on this 25 day of **February 2025**.

Phillip Charles Aught, Jr.
Pro Se Plaintiff